

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JONATHAN CHAPIN,)	CASE NO. 1:11CV1554
)	
Petitioner,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>MEMORANDUM OF OPINION</u>
)	<u>AND ORDER</u>
KIMBERLY CLIPPER, Warden,)	
)	
Respondent.)	

Before the Court is the Report and Recommendation of Magistrate Judge James R. Knepp II ("R & R") (Doc. # 16), dated August 3, 2012. The R&R recommends that Petitioner Jonathan Chapin's 28 U.S.C. § 2241 petition for writ of habeas corpus (Doc. # 1) be denied.

Under 28 U.S.C. § 636(b)(1) a habeas petitioner has 14 days after being served a copy of the R&R to file written objections. On August 3, the day the R&R was filed, a copy was mailed to the institution in which Petitioner was being held: Grafton Correctional. The mail was returned to sender because, as it turned out, Petitioner had been released on December 7, 2011, and he is now on post-release supervision. Petitioner did not, however, provide a forwarding address, so a copy of the R&R has not been successfully served on him. Still, it is the prisoner's responsibility to provide a forwarding address, not the Court's job to track him down. Today is September 13; the deadline for filing objections has passed, and no objections have been filed.

The failure to timely file written objections to a Magistrate Judge's R&R constitutes a waiver of the right to obtain a de novo review of the R&R in the district court. Id.; United States

v. Walters, 638 F.2d 947, 949 (6th Cir. 1981). The failure to file written objections also results in a waiver of the right to appeal. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985).

The Court has reviewed the Magistrate Judge's thorough and well-written R & R. The Court agrees with the Magistrate Judge that Petitioner's sole claim should be denied. Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (**Doc. # 16**) and **DENIES** the petition for writ of habeas corpus (**Doc. # 1**).

IT IS SO ORDERED.

/s/ Dan Aaron Polster September 13, 2012
Dan Aaron Polster
United States District Judge